

Notice of Allowability	Application No.	Applicant(s)	
	10/091,103	BEADLE, JOSHUA Z.	
	Examiner	Art Unit	
	Hargobind S Sawhney	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 3/29/2004.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 04 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

1. The amendment filed on March 29, 2004 has been entered. Accordingly, claims 1, 18 and 21 have been amended.

Allowable Subject Matter

2. Claims 1-25 are allowed.

The prior art of record, Benjamin (US Patent No. 1,880,399), Burdick (US Patent No. 1,430,354) and McFaddin (US Patent No. 1,267,882), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a light fixture combining:

- a collar coupled to a cowl completely within the cavity formed by the inner surface of the collar and the cowl as recited in claims 1, 18 and 21; and
- the cavity being sealed against external elements as recited in claims 1, 18 and 21; and
- the flared lowered portion of the cowl, the light emitting element and the lowered portion of the collar being exposed to external elements as recited in claims 1, 18 and 21.

The above-indicated combination, including a collar making an externally sealed cavity defined by the inner surface of the collar and the cowl, makes this invention unique.

Art Unit: 2875

Benjamin ('399) discloses a light fixture including a collar making an externally sealed cavity. Further, Benjamin ('399) teaches a need for covering the flared lowered portion of the cowl, the light emitting element and the lowered portion of the collar being covered with a lens cover. Thus, Benjamin ('399) does not teach the flared lowered portion of the cowl, the light emitting element and the lowered portion of the collar open to external elements as claimed by the applicant.

Burdick ('354) and McFaddin ('882) each discloses a light fixture having a cavity formed by the inner surface of the collar and the cowl. However, the cavity disclosed by each of Burdick ('354) and McFaddin ('882) is kept perforated for heat release. Thus, each of Burdick ('354) and McFaddin ('882) does not teach the flared lowered portion of the cowl, the light emitting element and the lowered portion of the collar open to external elements as claimed by the applicant.

Therefore, claims 1,18 and 21 are allowed over prior art.

Claims 2-17 are necessarily allowed because of their dependency on the allowed base Claim 1.

Claims 19 and 20 are necessarily allowed because of their dependency on the allowed base Claim 18.

Claims 21-25 are necessarily allowed because of their dependency on the allowed base Claim 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2875

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

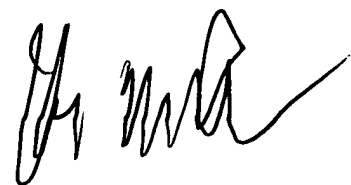
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is on 571-272-2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications and 703-872-9319.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number 703-308-2956.

HSS

6/8/2004

A handwritten signature in black ink, appearing to read 'H. M. Sember', with a long horizontal stroke extending to the right.

**THOMAS M. SEMBER
PRIMARY EXAMINER**